

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

)	
In re)	Chapter 11
)	
DPH HOLDINGS CORP., <i>et al.</i> ,)	Case No. 05-44481
)	Judge Robert D. Drain
Reorganized Debtors.)	(Jointly Administered)
)	

**RESPONSE OF BENTELER AUTOMOTIVE CORPORATION TO
REORGANIZED DEBTORS' FORTY-THIRD OMNIBUS CLAIMS OBJECTION
TO THE ADMINISTRATIVE EXPENSE CLAIM, NO 19127 OF
BENTELER AUTOMOTIVE CORPORATION**

Benteler Automotive Corporation ("Benteler"), by its counsel, Miller Johnson, files this Response to the Reorganized Debtors' Forty-Third Omnibus Claims Objection. The Reorganized Debtors' Forty-Third Omnibus Claims Objection objects to administrative claim no. 19127 of Benteler Automotive Corporation (the "Benteler Administrative Claim"). Because, after taking into account any offset of the Debtors to the Benteler Administrative Claim, Benteler remains entitled to a remaining balance due as an administrative claim in the amount of \$67,159.26 (the "Remaining Balance"), Benteler files this Response.

Background

1. On or about July 15, 2009, Benteler filed the Benteler Administrative Claim in this matter.
2. On or about January 22, 2010, the Debtors filed its Forty-Third Omnibus Claims Objection, which contained an objection to the Benteler Administrative Claim.
3. By agreement of the parties, Benteler's response date was extended to February 23, 2010 at 5:00 p.m.

Response

4. A copy of the Benteler Administrative Claim is attached to this Response as **Exhibit A**.

5. In an excess of caution, Benteler filed its Administrative Claim in the total amount of \$147,051.60, which was the amount of an overpayment it made to the Debtors on a post-petition basis. However, in the attachment to the Benteler Administrative Claim, Benteler acknowledged that Delphi had separately debited Benteler in an amount of \$79,892.34 (the “Debit”), which Benteler has not paid.

6. Benteler does not dispute the Debit, to the extent that the Remaining Balance of the Benteler Administrative Claim is paid by the Debtors.

7. As set forth in an attachment to the Benteler Administrative Claim, Delphi acknowledged the credit balance owing to Benteler in the amount of the Remaining Balance.

8. However, the Remaining Balance has not been paid by Delphi to Benteler.

WHEREFORE, Benteler requests that the Debtors’ Forty-Third Claims Objection be denied and that the Court find that the remaining balance of \$67,159.26 is due and owing to Benteler as an administrative claim in this proceeding.

MILLER JOHNSON
Attorneys for Benteler Automotive Corporation

Dated: February 22, 2010

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